



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

David A. Cobbley et al.

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Art Unit: 2174

Serial No.: 09/754,553

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Examiner: Thanh T. Vu

Filed: January 4, 2001

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For: Displaying Software
Keyboard Images

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Docket: ITL.0526US
P10830

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

This responds to the new arguments raised by the Examiner in Section 11, Response to Argument.

As the Examiner points out, one primary argument with respect to claim 1 was that neither Vale nor Zellweger and, therefore, certainly, their combination, teach moving a data entry area on a user interface to display a keyboard image.

On page 5 of the office action, under paragraph 11 at line 7, the Examiner explicitly admits that Vale does not teach such a thing. In fact, Vale teaches the contrary. As indicated in Figure 5, the home and visiting clocks are shown in what the Examiner calls a data entry area 68. However, once the keyboard is displayed, as indicated at 66 in Figure 7, there is no room for the data corresponding to the home and visiting clocks. Thus, quite plainly, Vale teaches away from the claimed invention since, rather than moving the data entry area (if there really was one in Vale), he simply overwrites it.

Date of Deposit: January 26, 2005

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cynthia L. Hayden

To overcome this deficiency, the Examiner attempts to construe the area 150 in Figure 13 of Zellweger as “a data in area 150.” This is quite a stretch since, in fact, the area 150 is a text sample. See Zellweger at column 12, line 34. There is simply no data entry area in Zellweger. The combination of Zellweger and Vale does not teach one skilled in the art anything about how to handle a text entry area or a keyboard image since Vale does not have either of these items.

The Examiner argues that Vale is disadvantageous because the images of the clocks are removed from the display. On this we agree. That is why Vale teaches away. Zellweger cannot overcome that deficiency because Zellweger has nothing to do with data entry areas or keyboard images. Therefore, there is no rationale to combine the two.

While the Examiner suggests, with the benefit of hindsight, that it would be desirable to be able to keep the clocks on the display in Vale, this is what the present application teaches and not what either Vale or Zellweger teaches. It is desirable to maintain the data entry area when the keyboard image is provided, but that is what is taught by the present application, not by anything in either or both of the two references.

All that Zellweger teaches is how to insert data into text. There is no obvious way that this relates to how to incorporate a keyboard image with a data entry area.

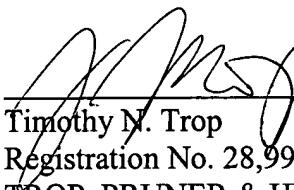
The advantage of the claimed system is that the data entry area is still visible when the keyboard is displayed. The converse teaching, as the Examiner agrees is contained in Vale, makes it impractical to use a transparent keyboard image because doing so simply obstructs the data entry area and, therefore, prevents the entry of data anyway.

In order to do what is claimed, you have to recognize the data entry area and move it to prevent it from being overlaid. In contrast, in Zellweger, all that is shown is text and when additional material is provided, the text is simply moved out of its way. There is no need to identify anything as a data entry area. Everything is text in Zellweger and whatever text would underlie the new images 158 is simply moved. It is a different problem with a different rationale and teaches one skilled in the art nothing about why to do what is claimed.

In view of these remarks, the rejection should be reversed.

Respectfully submitted,

Date: January 26, 2005



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